

United States District Court

WESTERN DISTRICT OF WASHINGTON

TIMOTHY B. WHITMORE

v.

PIERCE COUNTY DEPARTMENT
OF COMMUNITY CORRECTIONS, *et al.*,

JUDGMENT IN A CIVIL CASE

CASE NUMBER: C05-5265RBL

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Plaintiff's "FRCP [sic] 59 Motion for an Amendment to the Judgment Rendered in Docket 223 Regarding the Habeas Corpus Portion of the Complaint" [Dkt. #238] and the amendments thereto [Dkt.. #s 243, 244, 245] is considered as a motion for reconsideration of this Court's prior Order adopting the Report and Recommendation dismissing plaintiff's habeas corpus claims and, as such, is **DENIED**.

The Court adopts the Report and Recommendation;

Defendant Pierce County's motion for summary judgment as to all remaining claims is **GRANTED**; and

Plaintiff's cross motion for summary judgment is **DENIED**.

____ August 21, 2007
Date

____ BRUCE RIFKIN
Clerk

____ *s/CM Gonzalez*
Deputy Clerk